

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|---|---|---------------------|
| ERIK LOPEZ-TORRALBA, | : | |
| <i>Petitioner</i> | : | CIVIL ACTION |
| | : | |
| v. | : | |
| | : | |
| THE DISTRICT ATTORNEY OF THE | : | No. 22-2728 |
| COUNTY OF MONTGOMERY, <i>et al.</i>, | : | |
| <i>Respondents</i> | : | |

ORDER

AND NOW this 30th day of September 2024, upon consideration of the Petition for Writ of Habeas Corpus (DI 1), the Response in Opposition to Petition for Writ of Habeas Corpus (DI 13), and the Report & Recommendation (DI 21), for the reasons set out in the accompanying Memorandum, it is **ORDERED** as follows:

1. The Report & Recommendation (DI 21) is **ADOPTED IN PART**.
2. The Petition for Writ of Habeas Corpus (DI 1) is **DENIED**.
3. A Certificate of Appealability on Petitioner's sole claim in the Petition for Writ of Habeas Corpus is **GRANTED**.


MURPHY, J.